IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
Writ Petition No. 459 of 2004 (M/B)

Pradeep Kumar Lohani
S/o Sri B.D. Lohani,
R/o Devi Lodge, Nainital. …… Petitioner

Versus

1. State of Uttaranchal
through Secretary,
Local Bodies and Urban Development,
Dehradun.
2. The Commissioner, Kumaon Division,
Nainital.
3. The Nagar Palika Parishad
Nainital through its
Executive Officer …… Respondents

Mr. M.C. Kandpal, Senior Advocate with Mr. Kurban Ali, Advocate for the petitioner.
Mr. U.P.S. Negi, Advocate for respondents 1 and 2.
Mr. D.S. Patani, Advocate for respondent no. 3.

JUDGMENT

Coram: Hon. Rajeev Gupta, C.J.
Hon. Prafulla C. Pant, J.

RAJEEV GUPTA, C.J. (Oral)

Mr. M.C. Kandpal, Senior Advocate with Mr.Kurban Ali, Advocate for the petitioner.

Mr. U.P.S. Negi, Addl. Advocate General for respondents 1 and 2.

Mr. D.S. Patni, Advocate for respondent no. 3.

2. Petitioner -Pradeep Kumar Lohani filed this writ petition on 31.05.2004 for the following reliefs:

"i. Issue a writ, order or direction in the nature of mandamus directing the respondents not to issue any further license for plying cycle rickshaws between Tallital and Mallital.

ii. Issue a writ, order or direction in the nature of mandamus commanding the respondents to fix a maximum limit on number of cycle-rickshaws plying between Tallital and Mallital.

iii. Issue any other writ, order or direction which this Hon'ble Court may deem fit and proper in the circumstances of the present case."

3. During the pendency of the writ petition, Nagar Palika Parishad, Nainital passed the resolution fixing number of Rickshaw licenses at 82.

4. Sri Kandpal, learned Senior Counsel for the petitioner submits that in view of the above resolution passed by the Nagar Palika Parishad during the pendency of the writ petition fixing number of rickshaw licenses at 82, the petitioner has no surviving grievances which require decision by this Court.

5. In this view of the matter, the writ petition is dismissed as infructuous.

(Prafulla C. Pant, J.)
17.05.2006

(Rajeev Gupta, C.J.)
17.05.2006

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